

CONGRESSIONAL RECORD SUMMARY

Tuesday, February 25, 2003

SENATE

Measures Introduced:

S. 436. *A bill to amend the Foreign Intelligence Surveillance Act of 1978 to improve the administration and oversight of foreign intelligence surveillance, and for other purposes; to the Committee on the Judiciary.*

Leahy

Pages S 2701, S 2703-7

"...The bill does not intrude in any way upon law enforcement or diminish its ability to conduct FISA surveillance when necessary and appropriate. Nor does it require the Department of Justice to publicly release any sensitive or classified information. Rather, it seeks reporting only on the aggregate number of FISA wiretaps and other surveillance measures directed specifically against Americans each year. In this way, the public and Congress can assess over time whether the government has turned more of its powerful surveillance techniques on its own citizens, as opposed to non-U.S. persons. If necessary, we can ask it to explain its actions. The amendment also clarifies that the Foreign Intelligence Surveillance Court, FISC, and FISA Court of Review have the authority to adopt rules and procedures, and it requires that those rules be shared with the Intelligence and Judiciary Committees of the Senate and House of Representatives as well as the Supreme Court..." (Leahy, page S 2704)

S. 439. *A bill to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes; to the Committee on Finance.*

Bunning

Pages S 2701, S 2707-8

"... The Social Security Protection Act makes several common-sense and much-needed changes, including denying Social Security benefits to individuals who are fugitive felons and parole violators, creating new civil monetary penalties to combat fraud, and providing additional protections to Social Security employees while on the job..." (Bunning, page S 2707)

S. 440. *A bill to designate a United States courthouse to be constructed in Fresno, California, as the "Robert E. Coyle United States Courthouse;" to the Committee on Environment and Public Works.*

Boxer

Pages S 2701, S 2708

S. 441. *A bill to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouses in that county; to the Committee on Environment and Public Works.*

Boxer

Pages S 2701, S 2708

S. Res. 65. A resolution *authorizing expenditures by the Committee on the Judiciary*; to the Committee on Rules and Administration.

Hatch

Pages S 2701, S 2712

Measures Discharged and Referred:

Committee Funding Resolution: Committee on the Judiciary was discharged from further consideration of **S. Res. 65, authorizing expenditures by the Committee on the Judiciary**, and the resolution was then referred to the Committee on Rules and Administration.

Pages S 2714, D 146

Executive Communications:

EC-1203. A communication *from the Director, Regulations and Forms Services Division, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Abbreviation of Waiver of Training for State or Local Law Enforcement Officers Authorized to Enforce Immigration Law During a Mass Influx of Aliens (RIN 1115-AG84) (INS No. 2241-02)"* received on February 24, 2003; to the Committee on the Judiciary.

EC-1204. A communication *from the Deputy General Counsel, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Screening of Aliens and Other Designated Individuals Seeking flight Training (RIN 1105-AA80)"* received on February 20, 2003; to the Committee on the Judiciary.

EC-1205. *A communication from the Chief Justice, Supreme Court of the United States, transmitting, pursuant to law, the report of the Proceedings of the Judicial Conference of the United States of September 24, 2002, received on February 24, 2003; to the Committee on the Judiciary.*

Page S 2698

EC-1233. A communication *from the Director, Office of Personnel Management, Workforce Compensation and Performance Service, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Administratively Uncontrollable Overtime (3206-AJ57)"* received on February 24, 2003; to the Committee on Governmental Affairs.

EC-1234. A communication *from the Director, United States Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Retirement Coverage and Service Credit Elections Available to Current and Former Nonappropriated Fund Employees"* received on February 14, 2003; to the Committee on Governmental Affairs.

Page S 2699

Nomination Considered:

Senate continued consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Pages S 2621-76, D 146

"...I wish I had an accurate count of the number of times in various ways business men and women and farmers and ranchers asked the question: So why are you spending all of this time on a judge when our country is in such economic disarray? This is an important issue, the Estrada nomination, but we have said from the beginning, and I think we will be able to continue to say with authority, that there will not be any resolution until the Solicitor General documents are released and until Mr. Estrada is more forthcoming with regard to his positions..." (Daschle, page S 2638)

"...Look, if they are sincere and they really want to get on to the budget work they never did last year, the appropriations work they never did last year--we had to do it--then just vote. [] We were maligned by the other side because we were never good enough, because we had to live within the budget constraints. When they found that they had to live within the budget constraints, they skipped a beat and missed doing the budget. Here they are coming in here with crocodile tears saying a circuit court of appeals judge is not important enough. Well, if he is not, vote him down, let's have a vote, and let's vote him down..." (Hatch, page S 2642)

A unanimous-consent agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Wednesday, February 26, 2003.

Pages S 2715, D 146

Rules of Procedure:

Rules of Procedure of the Select Committee on Ethics.

Pages S 2677-88

Part I: Organic Authority

“...SUBPART D--RELATING TO RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS RECEIVED BY MEMBERS, OFFICES AND EMPLOYEES OF THE SENATE OR THEIR SPOUSES OR DEPENDENTS, PROVISIONS RELATING TO THE SELECT COMMITTEE ON ETHICS...”

“...Sec. 7342. Receipt and disposition of foreign gifts and decorations.

“(a) For the purpose of this section—

(B) regulations of an employing agency may define ‘minimal value’ for its employees to be less than the value established under this paragraph; and

“(6) ‘employing agency’ means—

“(A) the Committee on Standards of Official Conduct of the House of Representatives, for Members and employees of the House of Representatives, except that those responsibilities specified in subsections (c)(2)(A), (e)(1), and (g)(2)(B) shall be carried out by the Clerk of the House;

“(B) the Select Committee on Ethics of the Senate, for Senators and employees of the Senate, except that those responsibilities (other than responsibilities involving approval of the employing agency) specified in subsections (c)(2), (d), and (g)(2)(B) shall be carried out by the Secretary of the Senate;

“(C) the Administrative Office of the United States Courts, for judges and judicial branch employees; and

“(D) the department, agency, office, or other entity in which an employee is employed, for other legislative branch employees and for all executive branch employees...”

Pages S 2679-80

Nominations Received:

Senate received the following nominations:

Diane L. Kroupa, of Minnesota, to be a Judge of the United States Tax Court for a term of fifteen years.
Mark Van Dyke Holmes, of New York, to be a Judge of the United States Tax Court for a term of fifteen years.

Pages S 2715-22, D 146

Committee Meetings for Wednesday, February 26, 2003:

Committee on Governmental Affairs: @ 10:00 a.m. To continue hearings *to examine consolidating intelligence analysis*, focusing on a review of the President's proposal to create a Terrorist Threat Integration Center. SD-342.

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HOUSE

Measures Introduced:

H.R. 881. *A bill to disapprove certain sentencing guideline amendments; to the Committee on the Judiciary.*

Coble

Page H 1332

H.R. 887. *A bill to amend title II of the Social Security Act to provide that the reductions in Social Security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$2,000; to the Committee on Ways and Means.*

Jefferson

Page H 1332

H.R. 889. *A bill to eliminate the backlog in performing DNA analyses of DNA samples collected from convicted child sex offenders, and for other purposes; to the Committee on the Judiciary.*

King

Page H 1332

H.R. 899. *A bill to amend title 18, United States Code, to require persons to obtain a State license before receiving a handgun or handgun ammunition; to the Committee on the Judiciary.*

Nadler

Page H 1332

H.R. 900. *A bill to provide incentive funds to States that have in effect a certain law; to the Committee on the Judiciary.*

Nadler

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H.R. 908. *A bill to amend the Immigration and Nationality Act to specify that imprisonment for reentering the United States after removal subsequent to a conviction for a felony shall be under circumstances that stress strenuous work and sparse living conditions, if the alien is convicted of another felony after the reentry; to the Committee on the Judiciary.*

Rohrbacher

Page H 1333

H.R. 915. *A bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry certain concealed firearms in the State, and to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns; to the Committee on the Judiciary.*

Stearns

Page H 1333

H.J. Res. 25. *A joint resolution proposing an amendment to the Constitution of the United States to repeal the 22nd amendment to the Constitution; to the Committee on the Judiciary.*

Hoyer

Page H 1333

Reports Filed:

Reports were filed today as follows:

H.R. 254, to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a **Border Environment Cooperation Commission** and a North American Development Bank (**H. Rept. 108-17**);

H.R. 534, to amend title 18, United States Code, to prohibit human cloning (**H. Rept. 108-18**);
Pages H 1331, D 148

Executive Communications:

_____ **EC-724**. A letter from the Chair, United States Sentencing Commission, transmitting a report entitled, **“Increased Penalties Under The Sarbanes-Oxley Act of 2002,”** pursuant to Public Law 107--204, section 1104(a)(3); to the Committee on the Judiciary.

Page H 1329

Publication of the Rules of the Committee on the Judiciary for the 108th Congress:

Committee on the Judiciary rules of procedure, adopted February 12, 2003.

Pages H 1306-7

Committee Meetings for Wednesday, February 26, 2003:

Committee on the Judiciary: @ 10:00 a.m. Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on **“Peer-to-Peer Piracy On University Campuses.”** 2141 Rayburn.

Committee on Rules: @ 2:30 p.m. To consider **H.R. 534, Human Cloning Prohibition Act of 2003**, 2:30 p.m., H-313 Capitol.

Permanent Select Committee on Intelligence: @ 2:00 p.m. Subcommittee on Terrorism and Homeland Security, executive, hearing on Terrorist Threat Integration Center. H-405 Capitol.

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Remarks:

_____ Human Cloning Prohibition Act of 2003.
Weldon

Pages H 1307-11

No Support for Miguel Estrada Nomination.
Rodriguez

Pages H 1318-24

Next SENATE MEETING: 9:30 a.m, Wednesday, February 26, 2003.

Next HOUSE MEETING: 1:00 p.m., Wednesday, February 26, 2003.

OLA: S. Schwarz, A. Santos